

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMAL JOHNSON,)	
)	
Petitioner,)	Civil Action No. 14-214
)	
v.)	Judge Cathy Bissoon
WARDEN MARK CAPOZZA, <i>et al.</i> ,)	Magistrate Judge Robert C. Mitchell
)	
Respondents.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On June 30, 2014, the Magistrate Judge issued a Report (Doc. 13) recommending that Respondents' Motion to Dismiss (Doc. 7) be granted; that Petitioner's action, filed under 28 U.S.C. § 2254, be dismissed as time-barred; and that a certificate of appealability be denied. Service of the Report and Recommendation was made, and Petitioner has filed Objections. *See* Doc. 15.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Respondents' Motion to Dismiss (**Doc. 7**) is **GRANTED**; the Petition of Jamal Johnson for a writ of habeas corpus (**Doc. 1**) is **DISMISSED**; and a certificate of appealability is **DENIED**. The Report and Recommendation of Magistrate Judge Mitchell dated June 30, 2014 hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

September 5, 2014

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All counsel of record